# Morris, Nichols, Arsht & Tunnell LLP

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February 23, 2007

# **BY HAND**

Ms. Karen Nickerson Secretary Public Service Commission 861 Silver Lake Blvd. Cannon Building, Suite 100 Dover, DE 19904

Re:

In the Matter of Integrated Resource Planning for the Provision of Standard Offer Supply Service by the Delmarva Power & Light Company Under 26 Del. C. Section 1007(c) & (d): Review of Initial Resource Plan Submitted December 1, 2006, PSC Docket No 07-20

Dear Ms. Nickerson:

Please find enclosed for filing, the original and ten copies of NRG Energy Inc.'s ("NRG") Petition for Leave to Intervene in the above-captioned docket.

Sincerely,

Geoffrey A. Sawyer, III (#4754)

GAS/lf

Enclosures

cc: Service List

740758.1

### BEFORE THE PUBLIC SERVICE COMMISSION

#### OF THE STATE OF DELAWARE

IN THE MATTER OF INTEGRATED RESOURCE	. )	
PLANNING FOR THE PROVISION OF	)	
STANDARD OFFER SUPPLY SERVICE BY	)	
DELMARVA POWER & LIGHT COMPANY	)	PSC DOCKET NO. 07-20
UNDER 26 DEL. C. § 1007(c) & (d): REVIEW	)	
OF INITIAL RESOURCE PLAN SUBMITTED	)	
DECEMBER 1, 2006	)	
(OPENED JANUARY 23, 2007)	)	

# PETITION FOR LEAVE TO INTERVENE OF NRG ENERGY, INC.

NRG Energy, Inc. Caroline Angoorly 211 Carnegie Center Princeton, NJ 08540

Telephone: (609) 524-4645 Facsimile: (609) 524-4941

Email: Caroline.Angoorly@nrgenergy.com

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

Michael Houghton Geoffrey A. Sawyer, III 1201 N. Market Street P.O. Box 1347 Wilmington, DE 19899

Telephone: (302) 658-9200 Facsimile: (302) 658-3989 Email: mhoughton@mnat.com Email: gsawyer@mnat.com

February 22, 2007

#### BEFORE THE PUBLIC SERVICE COMMISSION

#### OF THE STATE OF DELAWARE

IN THE MATTER OF INTEGRATED RESOURCE	)	
PLANNING FOR THE PROVISION OF	)	
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DECEMBER 1, 2006	)	
(OPENED JANUARY 23, 2007)	)	

# PETITION FOR LEAVE TO INTERVENE OF NRG ENERGY, INC.

Pursuant to Rule 21 of the Delaware Public Service Commission's ("Commission") Rules of Practice and Procedure and Commission Order No. 7122 in the above-captioned matter, NRG Energy, Inc. ("Petitioner" or "NRG") hereby petitions the Commission for leave to intervene as a Party in this docket. In support thereof, Petitioner states as follows:

- 1. Pursuant to Rule 21 of the Commission's Rules of Practice and Procedure, a petition to intervene must set forth the following:
  - (i) the name, identity, mail and e-mail addresses, telephone and fax numbers of the person seeking to intervene;
  - (ii) a description of the petitioner's interest in the outcome of the proceeding;
  - (iii) a concise statement of why the petitioner's interest will not be adequately represented by the parties to the proceeding or why participation in the proceeding would be in the public interest; and
  - (iv) a description of the relief requested.
- 2. Petitioner, NRG's, mail and email addresses, and telephone and fax numbers are as follows:

NRG Energy, Inc. 211 Carnegie Center

Princeton, NJ 08540

Telephone: (609) 524-4645 Facsimile: (609) 524-4941

Email: Caroline.Angoorly@nrgenergy.com

3. Petitioner's interest in the outcome of the proceeding is direct and

significant. Petitioner is one of the largest energy producers located in Delaware and has

submitted a response to the request for proposal in Docket 06-241, and as such is uniquely

positioned to comment on whether the IRP has systematically evaluated all available supply

options (including procurement, generation, transmission, conservation, and load management)

over a ten-year planning period, and whether the IRP appropriately forecasts the mix of

resources that will be utilized to meet the needs of Delmarva Power & Light's Standard Offer

Service ("SOS") customers, at minimal cost and without sacrificing adequate reliability.

Accordingly, Petitioner will be directly affected by the Commission's determinations in this

proceeding.

4. None of the other parties who have intervened or who are likely to

intervene in these proceedings have interests that are identical to the unique interests of

Petitioner. Petitioner's interest will not be adequately represented by any other party to this

proceeding and the interests of Petitioner may be prejudiced and the record may not be fully

developed if it is not permitted to intervene. Petitioner's participation in the docket will not

unduly delay or prejudice the rights of other parties.

5. Petitioner intends to provide direct testimony on the Delmarva IRP,

Interim IRP Report and Revised IRP.

6. Petitioner respectfully requests that it be granted leave to intervene in this

proceeding as a party for all purposes. Although no formal evidentiary hearing has been noticed,

Petitioner also reserves its right to fully participate in any Commission hearing under this Docket.

7. The names and addresses of the attorneys for NRG are:

Michael Houghton (#2179)
Email: MHoughton@mnat.com
Geoffrey A. Sawyer (#4754)
Email: GSawyer@mnat.com

MORRIS, NICHOLS, ARSHT & TUNNELL

1201 North Market Street

P.O. Box 1347

Wilmington, Delaware 19899-1347

Telephone: (302) 351-9215 Facsimile: (302) 498-6221

8. All notices, correspondence and copies of orders should be addressed as follows, and the following should be placed upon the official service list in this proceeding:

Michael Houghton (#2179) Email: MHoughton@mnat.com Geoffrey A. Sawyer, III (#4754) Email: GSawyer@mnat.com

MORRIS, NICHOLS, ARSHT & TUNNELL

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William B. Bice

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MILBANK, TWEED, HADLEY & MCCLOY LLP

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NRG Energy, Inc. 211 Carnegie Center Princeton, NJ 08540

Telephone: (609) 524-4645 Facsimile: (609) 524-4941

Email: Caroline.Angoorly@nrgenergy.com

WHEREFORE, Petitioner respectfully requests that the Commission enter an order allowing Petitioner to become a full party of record in this docket.

Respectfully submitted,

NRG Energy, Inc. By Counsel

February 22, 2007

# BEFORE THE PUBLIC SERVICE COMMISSION

### OF THE STATE OF DELAWARE

IN THE MATTER OF INTEGRATED RESOURC	E)
PLANNING FOR THE PROVISION OF	)
STANDARD OFFER SUPPLY SERVICE BY	)
DELMARVA POWER & LIGHT COMPANY	) PSC DOCKET NO. 07-20
UNDER 26 DEL. C. § 1007(c) & (d): REVIEW	)
OF INITIAL RESOURCE PLAN SUBMITTED	)
DECEMBER 1, 2006	)
(OPENED JANUARY 23, 2007)	)
VERIFICATION STA PETITION FOR LEAVI OF NRG ENER	E TO INTERVENE
I, Caroline Angoorly, Senior Vice	President of the NRG Energy, Inc. hereby
verifies that the statements made in the PETITION	N FOR LEAVE TO INTERVENE OF NRG
ENERGY, INC. for Delaware Public Service C	Commission Docket No. 07-20, executed by
Geoffrey A. Sawyer, III, Esq., dated February 23	2, 2007, are true and correct to best of my
knowledge and ability.	
This 22nd day of February, 2007.	
CTATE OF DELAWARE	Caroline Angoorly
STATE OF DELAWARE	
COUNTY OF NEW CASTLE	
Sworn to and subscribed before me this $\frac{22}{\text{day}}$	of February, 2007.
	Gloria J. Connecel Notary Public
My Commission Expires:	

GLORIA J. CONNELL NOTARY PUBLIC STATE OF DELAWARE My Commission Expires June 21, 2008

## **CERTIFICATE OF SERVICE**

I, Geoffrey A. Sawyer, III, Esquire, do hereby certify that true and correct copies of the foregoing **PETITION FOR LEAVE TO INTERVENE OF NRG ENERGY, INC.** were caused to be served on February 23, 2007 upon the following in the manner indicated:

#### **BY HAND**

# Hearing Examiner (no discovery)

William F. O'Brien, Hearing Examiner Delaware Public Service Commission 861 Silver Lake Blvd., Suite 100 Dover, Delaware 19904

Phone: 302-739-3232 Fax: 302-739-5258

E-Mail: william.obrien@state.de.us

# **BY HAND**

Ms. Karen J. Nickerson Delaware Public Service Commission 861 Silver Lake Boulevard Suite 100 Dover, DE 19904

(Original and 10 copies)

### **BY E-MAIL**

# Pursuant to Hearing Examiner O'Brien's February 19, 2007 E-mail, Petitions to Intervene in PSC Docket 07-20 Shall Be Served on the E-mail List for PSC Docket 06-241

#### BY HAND

James McC. Geddes, Staff Counsel Ashby & Geddes 222 Delaware Avenue P.O. Box 1150 Wilmington, Delaware 19899 Phone: 302.654.1888 Fax:

302.654.2067

E-Mail: jgeddes@ashby-geddes.com

#### **BY HAND**

#### Division of the Public Advocate

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### **BY HAND**

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Geoffrey A. Sawyer, III